

MATERN LAW GROUP, PC
Matthew J. MATERN (SBN 159798)
Email: mmatern@maternlawgroup.com
Joshua D. Boxer (SBN 280126)
Email: jboxer@maternlawgroup.com
1230 Rosecrans Avenue, Suite 200
Manhattan Beach, California 90266
Telephone: (310) 531-1900
Facsimile: (310) 531-1901

MATERN LAW GROUP, PC
Corey B. Bennett (SBN 267816)
Email: cbennett@maternlawgroup.com
1330 Broadway, Suite 436
Oakland, California 94612
Telephone: (510) 227-3003
Facsimile: (310) 531-1901

Attorneys for Relator Mary James

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA and the
STATE OF CALIFORNIA ex rel.

MARY JAMES,

Plaintiffs,

vs.

ADVENTIST HEALTH SYSTEM/WEST
dba ADVENTIST HEALTH, a California
Corporation, et al.,

Defendants.

Case No.: 20-cv-06458-VC

**JOINT STIPULATION OF
VOLUNTARY DISMISSAL;
~~PROPOSED~~ ORDER AS
MODIFIED**

Assigned Judge: Hon. Vince Chhabria

Action Filed: September 15, 2020

1 Relator Mary James (“Relator”), and Defendants Adventist Health System/West dba
 2 Adventist Health, Adventist Health Clearlake Hospital, Inc., St. Helena Hospital, Inc., Adventist
 3 Health Southern California Medical Foundation, and Adventist Health California Medical Group
 4 (“Adventist Health Defendants”) and Defendants Dr. Rodney Look and Acute Medical Providers,
 5 Inc. (hereinafter, Relator and Defendants collectively are referred to as the “Parties”), by and
 6 through their counsels of record, respectfully submit this Joint Stipulation of Voluntary Dismissal.

7 **WHEREAS**, the Court issued an Order on February 2, 2023, granting Defendants’
 8 Motions to Dismiss Relator’s First Amended Complaint.

9 **WHEREAS**, the Court’s Order stated that dismissal was granted with leave to amend,
 10 provided that any amended complaint is due within 21 days of the Order.

11 **NOW, HEREBY, THE PARTIES STIPULATE AND AGREE**, pursuant to Rule
 12 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, to the voluntary dismissal of the above-
 13 captioned lawsuit in its entirety, with any and all individual claims asserted by Relator against
 14 Defendants being dismissed with prejudice, and a dismissal without prejudice of any and all claims
 15 asserted by United States against Defendants. Furthermore, the Parties stipulate that each party
 16 will bear its own attorneys’ fees and costs incurred in this action, notwithstanding the provisions of
 17 Rule 54(d) of the Federal Rules of Civil Procedure and Local Rules 54-1 *et seq.*

18 **IT IS SO STIPULATED.**

19
 20 DATED: February 15, 2023

MATERN LAW GROUP, PC

21
 22 By: /s/ Corey B. Bennett
 23 Matthew J. Mattern (Bar No. 159798)
 24 *mmatern@maternlawgroup.com*
 25 Joshua D. Boxer (Bar No. 280126)
 26 *jboxer@maternlawgroup.com*
 27 1230 Rosecrans Avenue, Suite 200
 28 Manhattan Beach, California 90266
 Telephone: (310) 531-1900
 Facsimile: (310) 531-1901

///

Corey B. Bennett (Bar No. 267816)
cbennett@maternlawgroup.com
1330 Broadway, Suite 428
Oakland, California 94612
Telephone: (510) 227-3003
Facsimile: (310) 531-1901

DATED: February 15, 2023

LATHAM & WATKINS LLP

By: /s/ Jason M. Ohta

Jason M. Ohta (Bar No. 211107)
jason.ohta@lw.com
Amy Hargreaves (Bar No. 266255)
amy.hargreaves@lw.com
12670 High Bluff Drive
San Diego, CA 92130
Telephone: (858) 523-5400
Facsimile: (858) 523-5450

Amanda Barnett (Bar No. 319046)
amanda.barnett@lw.com
355 South Grand Avenue, Suite 100
Los Angeles, California 90071-1560
Telephone: (213) 485-1234
Facsimile: (213) 891-8763

Attorneys for Defendants ADVENTIST
HEALTH SYSTEM/WEST DBA ADVENTIST
HEALTH, ADVENTIST HEALTH
CLEARLAKE HOSPITAL, INC., ST. HELENA
HOSPITAL, INC., ADVENTIST HEALTH
SOUTHERN CALIFORNIA MEDICAL
FOUNDATION, and ADVENTIST HEALTH
CALIFORNIA MEDICAL GROUP

///

///

///

///

1 DATED: February 15, 2023

PORTER SCOTT LLP

2
3 By: /s/ Cassandra J. Ninke

4 Jonathan A. Corr, (Bar No. 190823)

jcorr@porterscott.com

5 Cassandra J. Ninke, (Bar No. 327359)

cninke@porterscott.com

6 350 University Avenue, Suite 200

7 Sacramento, California 95825

Telephone: (916) 929-1481

Facsimile: (916) 927-3706

8 Attorneys for Defendants RODNEY LOOK,
9 M.D., and ACUTE MEDICAL PROVIDERS,
10 INC.

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(h)(3), I, Corey B. Bennett, attest that the consent in the filing of this document has been obtained from any signatories indicated by an electronic signature (“/s/” within this e-filed document.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

DATED: February 15, 2023

By: /s/ Corey B. Bennett

Corey B. Bennett

~~PROPOSED~~ ORDER

The Court, having reviewed the parties' Joint Stipulation of Voluntary Dismissal (the "Stipulation"), and good cause being shown, HEREBY issues the following ORDER:

1. The Stipulation is granted;
2. The claims asserted by Relator Mary James, in her individual capacity, are dismissed with prejudice;
3. The claims asserted by Plaintiff United States in this action are dismissed without prejudice; and
4. Each party will bear its own attorneys' fees and costs.
5. James is ordered to serve the United States and California with a copy of this order.

IT IS SO ORDERED.

Dated: February 27, 2023


VINCE CHHABRIA
United States District Court Judge